

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

ANDREW ENNIS, JOSEPH KNIGHT,)
ROBERT BOOTH, and DAVID SHANE)
ALLEN,)
Plaintiffs,)

v.)

TOWN OF KILL DEVIL HILLS;)
GARY L. BRITT, Individually and in his)
Official Capacity as Police Chief for the)
Town of Kill Devil Hills; DEBRA DIAZ,)
Individually and in her Official Capacity as)
Town Manager; SHAWN MURPHY,)
Individually and in his Official Capacity)
as Assistant Town Manager and Human)
Resource Officer,)
Defendants.)

JUDGMENT

No. 2:12-CV-9-F

Decision by Court.

IT IS ORDERED, ADJUDGED AND DECREED the Plaintiffs' Request for Voluntary Dismissal [DE-34], which this court construes as a motion to file an amended complaint, is **ALLOWED**, and the federal claims are **DISMISSED**. The Motions to Seal [DE-14, DE-16, DE-20] are **ALLOWED**, and the Clerk of Court is **DIRECTED** to maintain the documents at Entries 12, 15 and 19 under **SEAL**. The court declines to exercise supplemental jurisdiction over the state law claims, and **ORDERS** that this case be **REMANDED** to the General Court of Justice, Superior Court Division, Dare County, North Carolina.

This Judgment Filed and Entered on April 27, 2012, with electronic service upon:

Dennis C. Rose, Attorney for Plaintiffs

Dan M. Hartzog, Attorney for Defendants

Dan McCord Hartzog, Jr., Attorney for Defendants

Patricia Holland, Attorney for Defendant Britt

Ann Herlocker Smith, Attorney for Defendant Britt

Dare County Clerk of Superior Court - *via U.S. Mail*

JULIE A. RICHARDS, CLERK

/s/

(By): Shelia Foell, Deputy Clerk